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John and Karolyn Blackburn
"Curburra", 720 Swallows Nest Road, Rockley, NSW, 2795

17 August 2011

31 AUG 2011

Mr Mark Dicker
Planning Department
Oberon Council
PO Box 84
OBERON NSW 2787

Dear Mr Dicker

**Application No 10.2011.40.1 - New Transportable Dwelling
Lot 158 in DP 753047 - 293 Howes Road, Mount David**

In relation to the above application, we seek to vary Clause B.14.12.9 re dwelling setbacks and buffers. We make the following justifications as to why Council should proceed to favourably determine the application with a setback of less than 50m:

- The variation ensures that the dwelling is closer to the southern boundary with Lot 3 DP 1100272 where both the electrical and telephone services were located by the previous owner of the block.
- You will be aware that across the middle of the block runs a strip of land (approximately 1 acre in total area) that has been dedicated as a Tramway Reserve. The variation ensures that the dwelling and effluent disposal are not going to be too close to that Tramway Reserve which is important should the Crown determine that the Reserve is required at any time in the future.
- By reducing the setback to 40m, the dwelling will be located on the highest level of the block and will assist with the necessity to locate the septic tank at a point lower than the dwelling.
- The requested Buffer Management Plan has been provided to Council. This BMP complies with Oberon Local Council Environmental Plan 1998 and provides for an acceptable artificial buffer between the proposed dwelling, Howes Road and the adjoining Class 4 or 5 non prime crop and pasture land. It also maintains the necessary high level of privacy, and the relative isolation expected in the rural 1(a) zone.
- The dwelling in its proposed position will not be close to any existing dwellings on adjoining Lots.

We trust you will give our variation favourable consideration and look forward to hearing from you.

Please advise if there are any further details you require in support of the variation.

Yours sincerely

K Blackburn

Karolyn and John BLACKBURN

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